

FILED: June 23, 2025

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 25-1232 (L)  
(3:19-cv-00710)

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JONATHAN R., minor, by Next Friend, Sarah Dixon; ANASTASIA M., minor, by Next Friend, Cheryl Ord; SERENA S., minor, by Next Friend, Sarah Dixon; THEO S., minor, by Next Friend, L. Scott Briscoe; GARRETT M., minor, by Next Friend, L. Scott Briscoe; GRETCHEN C., minor, by Next Friend, Cathy L. Greiner; DENNIS R., minor, by Next Friend, Debbie Stone; CHRIS K., CALVIN K., and CAROLINA K., minors, by Next Friend, Katherine Huffman; KARTER W., minor, by Next Friend, L. Scott Briscoe; ACE L., minor, by Next Friend, Isabelle Santillion; and individually and on behalf of all others similarly situated

Plaintiffs - Appellants

v.

PATRICK MORRISEY, in his official capacity as the Governor of West Virginia; ALEX J. MAYER, in his official capacity as Secretary of the West Virginia Department of Human Services; CAMMIE CHAPMAN, in her official capacity as Deputy Secretary of the Department of Health and Human Resources; LORI BRAGG, in her official capacity as Interim Commissioner of the Bureau for Social Service; WEST VIRGINIA DEPARTMENT OF HUMAN SERVICES

Defendants - Appellees

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LAW SCHOLARS; THE NATIONAL CENTER FOR YOUTH LAW AND 32  
ADDITIONAL ORGANIZATIONS; THE ARC OF THE UNITED STATES;  
THE CENTER FOR PUBLIC REPRESENTATION; THE NATIONAL  
HEALTH LAW PROGRAM; THE JUDGE DAVID L. BAZELON CENTER  
FOR MENTAL HEALTH LAW

Amici Supporting Appellants / Cross-Appellees

THE LIBERTY JUSTICE CENTER; STATES OF ALASKA; ALABAMA;  
ARKANSAS; DELAWARE; FLORIDA; GEORGIA; IDAHO; IOWA;  
KANSAS; LOUISIANA; MISSISSIPPI; NEBRASKA; NEW HAMPSHIRE;  
NORTH DAKOTA; SOUTH CAROLINA; TEXAS

Amici Supporting Appellees / Cross-Appellants

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O R D E R

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States of Alaska, Alabama, Arkansas, Delaware, Florida, Georgia, Idaho, Iowa, Kansas, Louisiana, Mississippi, Nebraska, New Hampshire, North Dakota, South Carolina, and Texas have filed an amicus curiae brief.

The court accepts the brief for filing.

States of Alaska, Alabama, Arkansas, Delaware, Florida, Georgia, Idaho, Iowa, Kansas, Louisiana, Mississippi, Nebraska, New Hampshire, North Dakota, South Carolina, and Texas are directed to file an appearance form within three days of the date of this order.

For the Court--By Direction

/s/ Nwamaka Anowi, Clerk